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June 19, 2008

JUN 20 2008

Via Federal Express

Honorable Debra Freeman
United States Magistrate Judge
Southern District of New York
United States Courthouse
500 Pearl Street, Room 525
New York, NY 10007

MEMO ENDORSED

**Re: Time Square Construction, Inc. v. BCTC, et al.
(07 CV 07403) (RJS) (DF)**

Dear Judge Freeman:

This firm represents defendants, Cement and Concrete Workers Local 20, LIUNA, Cement and Concrete Workers Local 18A, LIUNA (collectively "CCW") and Plumbers Local Union No. 1, U.A. ("Local 1") (sued as Plumbers and Gasfitters Local Union No. 1), in the above matter.

As Your Honor may recall at the June 12, 2008 status conference, Your Honor stated that if defendants wished to have their NLRB submissions included in the June 11, 2008 Protective Order as part of the definition of "Confidential Material" Your Honor would so modify the Order. You directed the parties, however, to confer prior to submitting the request to the Court. At the conclusion of the conference, the parties remained to discuss the inclusion of defendants' NLRB submissions in the Protective Order. We are pleased to advise the Court that all of the parties, including plaintiff, consent to the modification.

We are writing this letter to request that Your Honor include within the term "Confidential Material" defendants' submissions to the NLRB, made on or after January 1, 2005, excluding submissions in cases that are still open before the NLRB which are exempt from disclosure.

Respectfully yours,

Bruce J. Cooper

cc: All counsel

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SO ORDERED: DATE: 6/25/08

On the consent of all parties, the June 11, 2008 Protective Order shall be deemed modified to cover submissions made by any party to the NLRB, unless such documents are obtained from source other than that party, or are otherwise publicly available. Any NLRB submission withheld from disclosure on the ground of any purported "exemption" from disclosure shall be duly listed on a privilege log.

DEBRA FREEMAN
UNITED STATES MAGISTRATE JUDGE

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